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Attorneys for Plaintiff,
SMART MEMORY SOLUTIONS, LLC

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

SMART MEMORY SOLUTIONS, LLC
Plaintiff,
v.
TOSHIBA AMERICA ELECTRONIC
COMPONENTS, INC.,
Defendant.

Case No. 3:12-cv-01549-EMC

**JOINT STIPULATION OF
DISMISSAL WITH PREJUDICE**

Plaintiff, Smart Memory Solutions, LLC, and Defendant, Toshiba America Electronic Components, Inc., pursuant to Federal Rule of Civil Procedure 41(a)(1) and (2), hereby stipulate to the entry of an order dismissing Plaintiff's claims in this action WITH PREJUDICE. Plaintiff

1 and Defendant further stipulate to the entry of an order dismissing Toshiba's counterclaims
2 WITHOUT PREJUDICE pursuant to Fed. R. Civ. P. 41(a)(1), (2) and (c), with each party
3 bearing its own costs, expenses and attorney fees.
4

5 Agreed to by:

6 Dated: April 17, 2013

/s/ Daniel M. Shafer

Christopher D. Banys

Daniel M. Shafer

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Counsel for Plaintiff,

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14
15 Dated: April 17, 2013

/s/ Mark Fowler

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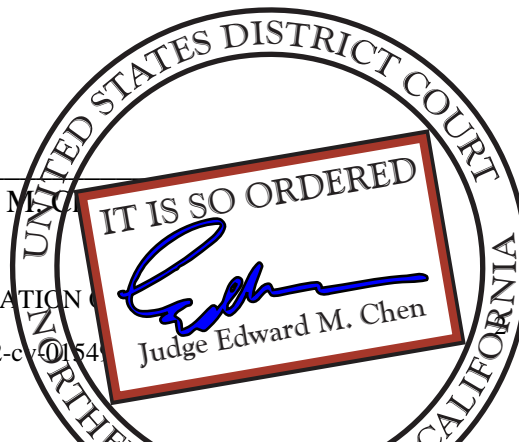
TOSHIBA AMERICA ELECTRONIC

COMPONENTS, INC.

23
24 PURSUANT TO STIPULATION, IT IS SO ORDERED.

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27 Hon. Edward M. Chen

28
JOINT STIPULATION
PREJUDICE
CASE NO: 3:12-cv-01549



CERTIFICATION PURSUANT TO CIVIL L.R. 5-1(i)
RE E-FILING ON BEHALF OF MULTIPLE SIGNATORIES

1. I am an attorney licensed to practice law in the state of California. I am employed by Banys, P.C., counsel for Plaintiff SMART MEMORY SOLUTIONS, LLC. The statements herein are made on my personal knowledge, and if called as a witness I could and would testify thereto.

2. The above e-filed document contains multiple signatures. Pursuant to Civil L.R. 5-1(i), I declare that concurrence has been obtained from each of the other signatories to file this jointly prepared document with the Court.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

/s/ Daniel M. Shafer